

NO CHILD LEFT BEHIND ACCOUNTABILITY AND NJDOE IMPLEMENTATION: as of February 2004

NCLB Accountability Requirements	New Jersey Implementation	Level of Flexibility																																																																
A. Assessment																																																																		
<p>1. <i>No Child Left Behind</i> (NCLB) requires states to implement, at a minimum, the following annual assessments:</p> <p>Through the 2004-2005 school year, the state must administer assessments in reading/language arts and mathematics at least once in the following grade spans:</p> <ul style="list-style-type: none">• Grades 3-5• Grades 6-9• Grades 10-12 <p>Beginning in the 2005-2006 school year, the state must administer assessments in reading/language arts and mathematics in the following:</p> <ul style="list-style-type: none">• In each of grades 3-8• At least once in grade span 10-12 <p>Beginning in the 2007-2008 school year, the state must administer assessments in science at least once in the following grade spans:</p> <ul style="list-style-type: none">• Grades 3-5• Grades 6-9• Grades 10-12	<p>1. Currently, students are assessed in grades 4, 8, and 11 in language arts literacy and mathematics. [Grade 8 is currently tested for science but results are not calculated for adequate yearly progress (AYP).]</p> <p>New Jersey developed a new 3rd grade test—the New Jersey Assessment of Skills and Knowledge (NJ ASK3), which was administered as a field test in May 2003 and as a benchmark test in March 2004. The former 4th grade test, ESPA, was replaced with a new test—the NJ ASK4, also administered in May 2003.</p> <p>As required by NCLB, assessments will be expanded to include additional grades and incorporate science. These new assessments, including an Alternate Proficiency Assessment (APA) will be included in New Jersey’s Single Accountability System (see timeline below).</p> <table><tr><th colspan="8">Grade Levels</th></tr><tr><th>Year</th><th>3</th><th>4</th><th>5</th><th>6</th><th>7</th><th>8</th><th>HS</th></tr><tr><td>2003</td><td></td><td>Math LAL</td><td></td><td></td><td></td><td>Math LAL, SC</td><td>Math LAL</td></tr><tr><td>2004</td><td>Math LAL</td><td>Math LAL, SC (field test)</td><td></td><td></td><td></td><td>Math LAL, SC</td><td>Math LAL, SC (field test)</td></tr><tr><td>2005</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL, SC</td></tr><tr><td>2006</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL, SC</td></tr><tr><td>2007</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL, SC</td></tr><tr><td>2008</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL</td><td>Math LAL, SC</td><td>Math LAL, SC</td></tr></table>	Grade Levels								Year	3	4	5	6	7	8	HS	2003		Math LAL				Math LAL, SC	Math LAL	2004	Math LAL	Math LAL, SC (field test)				Math LAL, SC	Math LAL, SC (field test)	2005	Math LAL	Math LAL, SC	Math LAL	Math LAL	Math LAL	Math LAL, SC	Math LAL, SC	2006	Math LAL	Math LAL, SC	Math LAL	Math LAL	Math LAL	Math LAL, SC	Math LAL, SC	2007	Math LAL	Math LAL, SC	Math LAL	Math LAL	Math LAL	Math LAL, SC	Math LAL, SC	2008	Math LAL	Math LAL, SC	Math LAL	Math LAL	Math LAL	Math LAL, SC	Math LAL, SC	<p>1. There is no state flexibility for meeting the testing requirements under NCLB. States must meet all requirements within established time frames.</p>
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A. Assessment		
<p>2. NCLB requires that standards include two levels of high achievement (proficient and advanced) that determine how well children are mastering the material in the state academic content standards and a third level of achievement (basic) to provide complete information about the progress of the lower-achieving children toward mastering the proficient and advanced levels of achievement.</p>	<p>2. New Jersey established three levels of achievement for its assessment program that apply to language arts literacy and mathematics (defined in regulations at N.J.A.C. 6A:8). These levels correspond to the three levels identified in federal regulations and guidance:</p> <ul style="list-style-type: none"> • Partially proficient • Proficient • Advanced proficient 	<p>2. States can add as many levels of achievement in their assessment systems as they choose.</p>

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B. Accountability and Adequate Yearly Progress		
1. Student Subgroups		
NCLB requires the state to implement a Single Accountability System to ensure that all students make AYP toward meeting the state's student academic achievement standards.	Recently adopted amendments to existing state regulations that align to NCLB require that all students must be included in the state assessment program and assessed annually. Formerly, limited English proficient (LEP) students were excluded for up to three years. This exemption has been revoked. Last year, exemptions for students with disabilities were disallowed and the Alternative Proficiency Assessment (APA) was administered for the first time statewide (N.J.A.C. 6A:8-4).	States are afforded flexibility within the design of the system.
States must ensure that all students in all student groups will be calculated in the state accountability system.	All public schools will be held accountable. Each school without test grades will be counted as one unit with its respective linked school. This will ensure closer vertical alignment of instructional services.	There is no state flexibility for meeting this requirement.
There must be separate starting points based on 2001-2002 data in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the state's proficient level of academic achievement.	New Jersey's definition of AYP (that proportion of all students and their respective subgroups, meeting or exceeding the new state standards annually until 2014, when 100% proficiency is achieved) is determined by a formula. This formula calculates the number of proficient scores over the number of valid test scores. Standards have been set based on starting points and incremental increases, achieving 100% proficiency by 2014. Different starting points for this process have been set for language arts literacy and mathematics for each of grades 4, 8 and 11.	The formula to identify the starting points was required. There is no state flexibility for this requirement.

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B. Accountability and Adequate Yearly Progress																					
	<table><tr><td colspan="4">Starting Points</td></tr><tr><td rowspan="4">Subject</td><td colspan="3">Percent of Students Proficient</td></tr><tr><td>4th Grade NJ ASK4</td><td>8th Grade GEPA</td><td>11th Grade HSPA</td></tr><tr><td>Language Arts Literacy</td><td>68%</td><td>58%</td><td>73%</td></tr><tr><td>Mathematics</td><td>53%</td><td>39%</td><td>55%</td></tr></table>	Starting Points				Subject	Percent of Students Proficient			4 th Grade NJ ASK4	8 th Grade GEPA	11 th Grade HSPA	Language Arts Literacy	68%	58%	73%	Mathematics	53%	39%	55%	
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States must identify intermediate goals that increase in equal increments over the period covered by the timeline, with the first incremental increase to take effect not later than the 2004-2005 school year.	Intermediate objectives will be raised at these intervals: <ul style="list-style-type: none">• 2004-2005• 2007-2008• 2010-2011• 2013-2014	The state exercises flexibility by raising the intermediate objectives every three years as opposed to annually or every two years.																			
All students, including special education students, must be included in the Single Accountability System.	All students are included in the Single Accountability System.	The state decided to count special education students in their home schools.																			
States must set annual measurable objectives that identify a minimum percentage of students who must meet or exceed the proficient level of academic achievement and ensure that all students meet or exceed this level within the established timeline.	Using the Compound Annual Growth Rate (CAGR) model, state objectives for these standards will be raised every three years in school years 2004-2005, 2007-2008, 2010-2011 and 2013-2014 until the 100 percent proficiency goal is reached for all subject areas at all grade levels. This methodology employs equal increments of growth calculated on a percentage rate for closing the achievement gap, rather than a straight numerical calculation.	The state has the option to choose the timeline for incremental objectives.																			

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2. Student Participation																																																																	
<p>In order for the LEA and state to make AYP, each of the following student groups must have 95% participation on the state’s academic assessment and meet the targets set on the timeline:</p> <ul style="list-style-type: none">• Economically disadvantaged students• Major racial and ethnic groups• Students with disabilities• Students with limited English proficiency	<p>The state’s method for calculating participation rates in the assessment system is to determine the number of absent or untested students (disaggregated) to ensure both total student and subgroup participation in the state assessment. New Jersey collects enrollment data along with student header information on each test booklet.</p> <p>For each student on roll, a test booklet is generated along with a test label. All test booklets must be returned to the test company.</p> <p>For the purpose of determining participation rate only, a minimum group size of 20 must be achieved.</p>	<p>The state had flexibility to decide the methodology to calculate a 95% participation rate.</p>																																																															

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B. Accountability and Adequate Yearly Progress		
3. Full Academic Year		
<p>States must have a definition of full academic year for determining which students are to be included in decisions about AYP. The definition of full academic year has to be consistent and applied statewide.</p>	<p>To ensure compliance with state regulatory requirements (N.J.A.C. 6A:8-4.4), a full academic year is defined as the term that begins on July 1 and ends on or about June 30. Any student enrolling in a school or district for the first time after July 1, up to the test administration date, will not be considered as enrolled for a full academic year.</p> <p>New Jersey will not include in the accountability system the results of any student enrolled in a school less than one full academic year for school accountability, or in a district for district accountability. This does not discount from a district's accountability system those students who transfer from one school to another within a district.</p>	<p>The state had flexibility to define a full academic year.</p>
4. Special Education Exemption		
<p>All students with disabilities must participate in statewide assessments, i.e., general assessments with or without accommodations or an alternate assessment based on grade-level standards for the grade in which students are enrolled.</p>	<p>State regulations (N.J.A.C.6A:8, Standards and Assessment) require all students to be assessed annually with the state assessment including all students with disabilities. The majority of students with disabilities participate in the regular administration of the general state assessment, with or without accommodations.</p> <p>For those students with severe disabilities who are unable to participate in the general state assessment due to the severity of their disability, an Alternate Proficiency Assessment (APA) is administered as required by state regulations [N.J.A.C. 6A:8-4.1(d)]. The APA is also linked to the student's Individual Education Plan (IEP). Currently, the APA is administered to approximately 1% of the total statewide test population (i.e., all students in the state).</p>	<p>The state had the flexibility to determine the type of alternate assessment, but not to exempt special education students from the Single Accountability System.</p>

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B. Accountability and Adequate Yearly Progress		
5. Disaggregation of Data		
<p>For a public school and LEA to make AYP, each student subgroup must meet or exceed the state annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the state's requirement for other academic indicators.</p> <p>For each student subgroup that fails to attain the state benchmark, then a safe harbor determination will be made. Essentially this is a measure of improvement for subgroups. To determine whether a subgroup made safe harbor, the pass rate for the group from the previous year is compared to the current year's pass rate and must improve by at least 10% and the subgroup must meet the other academic indicators.</p> <p>Example: In 2003, the limited English proficient (LEP) student subgroup scored 30% proficient, with a 70% failure rate.</p> <p>In 2004, this subgroup reduces its failure rate by at least 10%, thereby raising the pass rate by the same percentage, and</p>	<p>New Jersey's Single Accountability System for determining whether each student subgroup, public school, and LEA make AYP is determined as follows:</p> <ol style="list-style-type: none"> 1. Each subgroup is reviewed to ensure a minimum of 95% participation in the test. A group size of 20 must be achieved for participation purposes only. 2. Each subgroup's results are reviewed against the established AYP starting point for language arts literacy and mathematics. 3. The scores of each subgroup are reviewed using the safe harbor provisions. <p>Each of the following subgroups must meet the state's annual measurable targets:</p> <ul style="list-style-type: none"> • Total population • Each racial/ethnic group, including white, African-American, Hispanic, Asian/Pacific Islander and Native American students • Low-income students, i.e., those eligible for free and reduced-price lunch • Students with disabilities • Students with limited English proficiency <p>AYP calculations are completed for:</p> <ul style="list-style-type: none"> • Each school • Each school district • Each content area, i.e., language arts literacy and mathematics (with science added in the 2007-2008 school year) 	<p>There is no state flexibility for this requirement.</p>

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B. Accountability and Adequate Yearly Progress		
qualifies for safe harbor.	For those subgroups not making the intermediate targets, a review of progress will determine whether they made safe harbor, i.e., reduced their failure rate by at least 10% over the previous year, met the threshold of the other performance targets, or made progress on one or more of the secondary indicators (i.e., attendance and graduation rate).	
6. Secondary Indicators		
<p>States must have other academic indicators, one of which must be the graduation rate for public high schools, at least one academic indicator for elementary schools, and at least one academic indicator for middle schools. These may include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Grade-to-grade retention rates • Attendance rates • Percentages of students completing gifted and talented, advanced placement, and college preparatory courses 	<p>The state's secondary indicator applied at the elementary and middle school levels is attendance.</p> <p>Attendance is calculated by multiplying the number of students on roll by the number of days present, divided by the number of students on roll multiplied by 180, the minimum possible number of days for attendance (N.J.A.C. 6:3-9.2).</p> <p>The state's secondary indicator at the high school level is graduation rate (drop-out rate was used as an interim measure until the 2004-2005 school year).</p>	<p>The state had flexibility using attendance rates for elementary schools and middle schools.</p> <p>Use of the graduation rate is required. There is no state flexibility for this requirement.</p>

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B. Accountability and Adequate Yearly Progress		
7. Number of Students Required in a Subgroup		
<p>States must define the number of students required in a subgroup for reporting and accountability purposes, and apply this definition consistently across the state.</p> <p>The definition of a subgroup will result in data that are statistically reliable.</p>	<p>New Jersey is using a minimum (n) of 20 combined with a misclassification rate of 5% (error rate) while maintaining the highest level of accountability within an acceptable misclassification adjustment rate. The combined use of a minimum (n) count of 20 and a misclassification rate allows the state to specify the same level of certainty regarding a school's proficiency level based on assessment tests, after adjusting for small sample variability using a minimum (n) and to maintain that level as demographics and numbers change over time.</p>	<p>The state had flexibility in this decision. The significance of the use of 20 is to maintain integrity in New Jersey's accountability system due to the number of small schools throughout the state.</p>
8. Assessment Averaging		
<p>For the purpose of determining whether a school or LEA has made AYP, a state may establish a uniform procedure for averaging data that includes one or more of the following:</p> <ul style="list-style-type: none"> • Averaging data across school years • Combining data across grades 	<p>New Jersey is averaging data across grades within grade spans (3 - 5 and 6 - 8) for the same school year. The established 4th grade AYP benchmarks will be applied to grade span 3 - 5. Grade span 6 - 8 will use the 8th grade AYP benchmarks.</p>	<p>The state had flexibility to choose one or more methods.</p>

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C. Highly Qualified Teachers and Paraprofessional Requirements		
1. Highly Qualified Teachers		
<p>Under NCLB, the certification requirement cannot be waived on an emergency, temporary, or provisional basis.</p> <p><i>School Districts</i>—NCLB defines a highly qualified teacher as one who has met all three of the following criteria:</p> <ul style="list-style-type: none"> • Bachelor's degree (or higher) • Full state certification • Demonstrated competency in the assigned teaching field <p><i>Charter Schools</i>—Charter school teachers must meet the following two criteria:</p> <ul style="list-style-type: none"> • Bachelor's degree (or higher) • Demonstrated competency in the assigned teaching field <p>To demonstrate competency, teachers must meet the following requirements:</p> <ul style="list-style-type: none"> • An elementary teacher must show competency through a subject area test. • Middle school and high school teachers can show competency through either coursework in the content area or through testing. 	<p><u>Maintenance of Documentation Verifying Highly Qualified Teacher Status</u></p> <p>The NJ Model for Identifying Highly Qualified Teachers directs teachers to attach copies of their credentials (college transcripts, professional development documentation forms and/or Professional Improvement Plans) to the NJ HOUSE Standard Matrix document, and to maintain records at the building and district level. Districts generally maintain this information in central office personnel files. In the interest of reducing unnecessary duplication of paper and effort, chief school administrators, principals or other school officials are permitted to sign the Statement of Assurance. All paperwork, including required credentials, may be maintained at central administration. (Access the NJDOE Web site at www.nj.gov/njded/profdev/hqt/house.pdf for more information on professional development and the NJ HOUSE standard.)</p> <p><u>Documentation for National Teacher Exam and Praxis II Test Scores</u></p> <p>Teachers with test scores from 1985 or later that are tied to their current teaching certificates may use their certificates as proof of passing scores on the test. No additional documentation is necessary. This was affirmed in a memo issued by NJDOE and signed by the Commissioner to all chief school administrators on September 16, 2003. This memo is posted on the NJDOE Web site.</p>	<p>The state can only decide how teachers meet these requirements.</p>

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C. Highly Qualified Teachers and Paraprofessional Requirements		
<ul style="list-style-type: none"> • NCLB also allows teachers to show competency based on a highly objective uniform state standard of evaluation that meets these criteria: <ul style="list-style-type: none"> ○ Is set by the state for both grade-appropriate, academic subject matter knowledge and teaching skills ○ Is aligned with challenging state academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators ○ Provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches ○ Is applied uniformly to all teachers in the same academic subject and the same grade level throughout the state ○ Takes into consideration, but is not based primarily on, the time the teacher has been teaching in the academic subject ○ Is made available to the public upon request ○ May involve multiple, objective measures of teacher competency 	<p>Teachers with test scores that pre-date 1985 or whose scores are not connected to obtaining a certificate (i.e., special education teachers who took an elementary NTE/Praxis) are encouraged to add a line to their Statements of Assurance indicating what test they took, the year, and that the scores are no longer available. The NJDOE encourages districts to accept this as sufficient documentation from veteran teachers.</p> <p>Middle school teachers who hold K-8 certificates may not use an elementary content Praxis II or NTE test to satisfy the requirement for the middle school level. They must use the NJ HOUSE standard, New Jersey's objective evaluation for content knowledge, or one of the federal criteria to show they have sufficient depth of content preparation for the subject area(s) they teach. New Jersey will begin offering the Praxis II series of content-specific exams for the middle grades early in 2004.</p> <p>Academic support teachers with K-8 elementary certification who are teaching basic skills mathematics and/or language arts in high schools may not use a passing score on an elementary level NTE or Praxis II exam to satisfy the content preparation requirement for their assignment. They must satisfy the requirement at the secondary level for each content area they teach. They may do so either by accruing ten points on the NJ HOUSE standard for each content area they teach or by satisfying any of the federal criteria.</p>	

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	<p>Special education teachers who received dual certification in elementary and special education may use their elementary certificate to document passing a state exam if they are teaching at the elementary content level. Special education teachers who took an exam without also obtaining another certification must comply with the requirements for teachers tested prior to 1985 (provided above). They must note the test they took and the year on their Statement of Assurance.</p> <p>Special education teachers teaching in self-contained settings up through grade 8 may qualify as elementary generalists. The General Knowledge Test of the NTE Core Battery or the Praxis II Elementary Content Knowledge Test are each appropriate. These tests are also appropriate for special education teachers in resource settings for grades 6 and up or in self-contained settings in grades 9-12 ONLY IF the level of content instruction in each academic area is elementary.</p> <p>Special education teachers teaching middle or secondary level content must meet the requirements of a highly qualified teacher at the middle or secondary level either by accruing ten points on the NJ HOUSE standard for each content area for which they provide direct or replacement instruction or by satisfying any of the federal criteria.</p>	

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	<p><u>Content Area College Coursework Counted on the NJ HOUSE Standard Matrix</u></p> <ul style="list-style-type: none"> • Content area college coursework (three-credit, undergraduate or graduate courses from the math, science, social studies, and English departments) count for 2 points each on the NJ HOUSE Standard Matrix. • Courses within the broad content definition may be counted (e.g., courses in public speaking and modern drama are appropriate content preparation in language arts, even if offered from a speech and theatre department). • Methods courses linked to a content area (e.g., Teaching Math in Elementary Schools) may accrue 2 points per course. • Content-linked methods courses labeled “in Elementary Schools/Grades” may count on the NJ HOUSE Standard for teachers up through grade 8. • Sociology and anthropology courses may count as social studies content preparation; psychology and art history courses may not. <p><u>Special Education Teachers in Support/Inclusion Settings</u></p> <p>Only those special education teachers who are providing direct instruction in academic content in self-contained or resource/replacement settings must satisfy the federal requirement to demonstrate their status as a highly qualified teacher at this time. Special education teachers who are providing support and inclusion teaching are exempt from these NCLB requirements at this time pending reauthorization of the Individuals with Disabilities Education Act (IDEA) and do not need to submit any paperwork.</p>	

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C. Highly Qualified Teachers and Paraprofessional Requirements		
2. Highly Qualified Paraprofessionals		
<p>NCLB requires that paraprofessionals working in a program supported by Title I, Part A funds must have a high school diploma or a General Educational Development (GED) high school equivalency certificate and meet one of the following qualifications:</p> <ul style="list-style-type: none"> • Completed at least two years of study at an institution of higher education • Obtained an associate's (or higher) degree • Met a rigorous standard of quality and can demonstrate, through a formal state or local academic assessment the following: <ul style="list-style-type: none"> ○ Knowledge of, and the ability to assist in, instructing, reading, writing, and mathematics ○ Knowledge of, and the ability to assist in, instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate <p>Existing paraprofessionals hired before January 8, 2002, and working in a Title I, Part A program, must by January 8, 2006, meet one of the three alternatives listed above for qualifying new paraprofessionals.</p>	<p>New Jersey developed multiple and diverse paths to meet the needs of the state's paraprofessionals. Among those identified are the following:</p> <p><u>College Courses</u></p> <p>Many community colleges have been successful in partnering with local school districts to offer courses, so paraprofessionals can meet NCLB requirements. Courses are offered at various locations throughout the counties and in some cases on-site in a district. The department encourages collaboration between community colleges and districts as a mechanism to not only help paraprofessionals to meet NCLB requirements, but also as a way to further the education and professional development of paraprofessionals.</p> <p><u>ETS ParaPro Assessment</u></p> <p>The ParaPro is a formal assessment that measures paraprofessionals' content knowledge in reading, writing and mathematics and their ability to assist with the teaching of reading, writing, and mathematics. ETS, with the assistance of the New Jersey Department of Education (NJDOE), sponsored a series of panel studies to set the standard, or a passing score, in New Jersey. Based on the input of paraprofessionals and supervising teachers of paraprofessionals who served on the panels, the score of 456 was adopted as the minimum score for paraprofessionals in New</p>	<p>The state had flexibility and defined the number of credits that translate to two years of college.</p> <p>The state had flexibility in deciding the different alternatives to meet the NCLB requirements.</p>

NO CHILD LEFT BEHIND ACCOUNTABILITY AND NJDOE IMPLEMENTATION: as of February 2004

NCLB Accountability Requirements	New Jersey Implementation	Level of Flexibility
C. Highly Qualified Teachers and Paraprofessional Requirements		
<p>The qualification requirements for new and existing paraprofessionals do not apply to those whose primary responsibility is to serve as a translator or whose duties consist solely of conducting parental involvement activities in Title I, Part A programs.</p>	<p>Jersey who seek to meet NCLB requirements through the ETS ParaPro Assessment.</p> <p><u>Local Assessments</u></p> <p>In response to districts that are seeking guidance as they develop local rigorous assessments and the commitment of New Jersey to use “multiple and diverse paths” to meet NCLB requirements, NJDOE has been working with representatives from the following New Jersey professional organizations to design the framework for an alternative assessment for paraprofessionals that is consistent with the intent of the new requirements: New Jersey School Boards Association, New Jersey Principal’s and Supervisor’s Association, New Jersey Association of School Administrators, New Jersey Education Association, community colleges, Newark Teachers Union.</p> <p>The portfolio assessment includes a three-fold approach for documenting paraprofessionals’ knowledge of, and the ability to assist with, the teaching of reading, writing, and mathematics:</p> <ul style="list-style-type: none"> • Professional readings • Professional development • Logs/journals of everyday practice that show skills and knowledge possessed by those currently working in the field <p>Embedded in this approach is flexibility for districts to tailor these three components to demonstrate the skills of paraprofessionals. NJDOE presented the details of the portfolio assessment and posted the portfolio on the NJDOE Web site.</p>	

NO CHILD LEFT BEHIND ACCOUNTABILITY AND NJDOE IMPLEMENTATION: as of February 2004

NCLB Accountability Requirements	New Jersey Implementation	Level of Flexibility
D. Unsafe School Choice Option (USCO)		
<p>NCLB requires states to establish and implement a statewide policy that requires local educational agencies (LEAs) to allow a student to attend a safe public elementary school or secondary school within the LEA, including a public charter school, if the student meets one of the following criteria:</p> <ul style="list-style-type: none"> Attends a persistently dangerous public elementary or secondary school, as determined by the Department of Education Has been a victim of a violent criminal offense, as defined by state law, while in or on the grounds of a public elementary or secondary school that the student attends 	<p>As required by NCLB, the NJDOE has done the following:</p> <ul style="list-style-type: none"> Developed a policy in consultation with a representative sample of districts, NJDOE's NCLB Advisory Council, the Attorney General's Education Law Enforcement Working Group, and state agencies and professional organizations with interests in education. Recommended the Unsafe School Choice Option Policy to the Commissioner of Education on May 21, 2003; the policy was adopted by the State Board of Education on June 18, 2003. Distributed the Unsafe School Choice Option Policy to LEAs on July 3, 2003. The policy requires LEAs to complete the transfer of students under the persistently dangerous schools and victims of violent criminal offenses provisions of the policy by September 2, 2003. Notified schools that were identified as persistently dangerous. Identified schools were provided guidance on compliance requirements and corrective action plans. The state reviewed documentation of compliance to ensure that parents were appropriately notified of the option to transfer their child. Notified LEAs of the continuation of the data collection under the existing Electronic Violence and Vandalism Reporting System (EVVRS) as the basis for identifying persistently dangerous schools. LEAs were informed of changes to EVVRS that align it with the USCO criteria and scenarios to help them categorize offenses more accurately. 	<p>The state had flexibility regarding the development of a statewide policy. The policy was developed in consultation with a representative sample of LEAs.</p> <p>The state had flexibility in determining the criteria that would be used to identify persistently dangerous schools.</p>

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